

1545

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA

v.

JAMES BYRD

Criminal No. 21-227

(18 U.S.C. §§ 1791(a)(2), 1791(b)(4), and
1791(b)(5))

INDICTMENT

COUNT ONE

FILED

MAY 25 2021

CLERK U.S. DISTRICT COURT
WEST. DIST. OF PENNSYLVANIA

The grand jury charges:

On or about July 22, 2020, in the Western District of Pennsylvania, the defendant, JAMES BYRD, an inmate in custody at the Allegheny County Jail, a prison, institution, or facility in which persons are held in custody by direction of or pursuant to a contract or agreement with the Attorney General, did knowingly and intentionally possess a prohibited object, to wit: a phone or other object used by a user of commercial mobile service (as defined in Section 332(d) of Title 47) in connection with such service.

In violation of Title 18, United States Code, Sections 1791(a)(2) and 1791(b)(4).

COUNT TWO

The grand jury further charges:

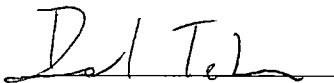
On or about July 22, 2020, in the Western District of Pennsylvania, the defendant, JAMES BYRD, an inmate in custody at the Allegheny County Jail, a prison, institution, or facility in which persons are held in custody by direction of or pursuant to a contract or agreement with the Attorney General, did knowingly and intentionally possess prohibited objects, to wit: cigarettes, a JUUL vape pen, and a red cigarette lighter, which are objects that threaten the order, discipline, or security of a prison, or the life, health, or safety of an individual.


In violation of Title 18, United States Code, Sections 1791(a)(2) and 1791(b)(5).

FORFEITURE ALLEGATION

The allegations contained in Counts One and Two of this Indictment are hereby re-alleged and incorporated by reference, as though fully set forth herein, for the purpose of alleging forfeiture pursuant to Title 18, United States Code, Section 4012. As a result of his commission of these offenses, defendant JAMES BYRD, shall forfeit to the United States any and all contraband seized on July 22, 2020, including, but not limited to: a Unihertz forum 4g mini smartphone, model Jelly Pro, containing a Sandisk Micro SD card; cigarettes; a JUUL vape pen; and a red cigarette lighter.

A True Bill,


Foreperson


STEPHEN R. KAUFMAN
Acting United States Attorney
PA ID No. 42108